

CITY OF ANGELS
PLANNING COMMISSION
SUMMARY MINUTES

Regular Meeting of Thursday February 9, 2012
City Fire House 1404 Vallecito Road
Angels Camp, California

CALL TO ORDER

The meeting was called to order by Chairman Gary Croletto at 6:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

Commissioners Present: Chairman Croletto, Vice-Chair Griffin, Commissioner Rowe,
Commissioner Reesman and Commissioner Broeder

Staff Present: Director of Planning & Building David Hanham & Deputy City
Clerk Jennifer Preston

APPROVAL OF MINUTES

1. Approval of the December 8, 2011 regular meeting minutes.

Page 2, 1st paragraph, 3rd line down, change “waves” to “waives”.
Page 2, 2nd paragraph, 3rd line down, change “waving” to “waiving”.
Page 2, 4th paragraph, 4th line down, change “handle” to “handled” and change “wonders” to
“wondered” and add “stated that she” between “She” and “wondered”.
Page 2, 5th paragraph, 5th line down, change “hasn’t” to “hadn’t”.
Page 2, 5th paragraph, 6th line down, delete “yet” after “Planning Commission”.
Page 2, 5th paragraph, 4th line from bottom, change sentence to say “She stated that you don’t
break the rules arbitrarily. If the rules don’t make sense you need to change the rules and
apply them equally to everyone”.
Page 2, 5th paragraph, 2nd line from bottom, change “wrong” to “wrongly”.
Page 3, changes on Resolution, Under 1st whereas, delete “installation” and add “alteration” also
add “existing” between “one” and “wall”.
Page 3, changes on Resolution, last line, delete “and” at the end.
Page 3, Item 8, Wayfinding, last line, change “tourist” to “the tourists”.

MOTION BY COMMISSIONER REESMAN AND DULY SECONDED BY
COMMISSIONER ROWE AND CARRIED 5-0 APPROVING THE DECEMBER 8, 2011
MINUTES AS AMENDED.

2. Approval of the December 14, 2011 special meeting minutes.

Page 1, 8th line from bottom, change “flag” to “flags”.
Page 1, 3rd line from bottom, add “as per the November 28, 2011 Flag Plan” after “Works”.
Page 1, last line, add “as per the November 28, 2011 Flag Plan” after “direction”.

MOTION BY COMMISSIONER REESMAN AND DULY SECONDED BY COMMISSIONER BROEDER AND CARRIED 3-0-2 WITH COMMISSIONER GRIFFIN AND COMMISSIONER ROWE ABSTAINING TO APPROVE THE DECEMBER 14, 2011 MINUTES AS AMENDED.

VERIFICATION OF RESOLUTIONS

PUBLIC COMMENTS

OPENED AT 6:15 P.M.

CLOSED AT 6:16 P.M.

COMMUNICATIONS AND PETITIONS

None

PUBLIC HEARINGS

None

PLANNING COMMISSION MATTERS

3. Roof Sign for Sidewinders Restaurant at 1252 S. Main Street.

Planning Director Hanham presented the staff report and Planning Commission Resolution 2012-01 for Project 2011-34 denying the sign application for Sidewinders Restaurant roof sign.

Mr. Dave Swarbrick, one of two owners of Sidewinders Restaurant.

Mr. Swarbrick stated that he wanted to apologize to the Commission for putting the sign up before bringing it before them. It was an act of desperation because their patrons were having a hard time finding the restaurant. The restaurant was in the negative every month and it was a matter of put up the sign or close the doors. To hang the sign off of the building would require drilling holes in the stone wall of the historic building, and also drill into the roof because the wall would not be able to hold the weight of the sign. Mr. Swarbrick stated he would rather not have to do that, he is an engineer and the stone that he would have to drill into in not good structurally. Mr. Swarbrick would like to apply for a variance. Mr. Swarbrick stated he believes that Sidewinders is a vital business downtown, the restaurant brings people in for special events and they compliment other businesses in the downtown area. The sign is visible where it is at currently. Mr. Swarbrick stated he has not heard any negative feedback on the sign.

Commissioner Broeder stated that he likes the sign but the ordinance clearly states that there are no roofs signs in the downtown and that the sign may not extend above the wall that it is situated according to Municipal Code 15.12.200 B.

Commissioner Griffin stated that she has noticed the sign and that the sign was put up without coming to the Commission for approval first. It is a very visible sign but it is not what the ordinance states and the Commission can't allow one person to do that and not someone else.

Commissioner Rowe stated that she likes the sign and that it is a noticeable sign. The design of the sign is nice. Commissioner Rowe stated that she poled the people about the sign and people

stated that it is a good looking sign and they like the snake that it projects on the street. Commissioner Rowe stated she appreciates that the applicant is asking for a variance.

Commissioner Reesman stated that in December the City Council unanimously approved to completely waive the requirements for another business in the downtown area that had already begun doing business. Not only did they waive the Conditional Use Permit fees but they waived the entire requirement for the Conditional Use Permit altogether. The Mayor presided over a ribbon cutting ceremony even before the City Council heard the matter or before it came to the Planning Commission. The reason the City Council gave for waiving the CUP was because it is a bad economy, and in a bad economy the City needs to be doing everything possible to help businesses succeed. The Council set the precedence of breaking the law when they circumvented the 10 day notice requirement of the waiving of the CUP, there are no notice requirements to waive a fee but to completely waive the CUP itself, a notice is required. Commissioner Reesman stated she would have a hard time stating that the economy has improved, and that the commission would beat up on one business owner in the downtown when another business got to go through without any conditions at all. Reesman stated that she would be in favor of a variance and letting the citizens decide if the sign is ok or not. Sidewinders paid the fees for the Conditional Use Permit and went through the correct process.

Mr. Dave Swarbrick stated he doesn't want to capitalize on the issues of another business. He is willing to make compromises to get his sign.

Chair Croletto stated that he fully understands the concerns of the business, but our code states no roof signs. If the Commission lets one business have a roof sign then all the businesses would want a roof sign and the downtown would no longer look historical. The Chair would like to see a different sign that would look nicer in that location coming off of the wall.

Commissioner Rowe stated that the resolution for the restaurants first sign package never stated that he only had 28 square feet.

Mr. Swarbrick stated that he doesn't have a problem staying within the 28 square feet.

Planning Director Hanham stated that the options for the Commission are to approve the resolution which denies the sign, or you can deny the resolution, or you can ask the applicant to apply for a variance.

Chair Croletto asks for a motion for Resolution 2012-01.

No motion, Resolution dies.

MOTION BY COMMISSIONER ROWE AND DULY SECONDED BY COMMISSIONER REESMAN AND CARRIED 5-0 TO CONTINUE THIS ITEM TO THE MARCH 2012 MEETING TO GIVE THE APPLICANT TIME TO MEET WITH STAFF TO SEE WHAT CAN BE DONE AS AN ALTERNATIVE.

4. 2 Signs for The Chocolate Lady Shop at 1257 S. Main Street.

Planning Director Hanham presented the staff report and Planning Commission Resolution 2012-02 to approve a sign program for The Chocolate Lady located at 1257 S. Main Street.

Commissioner Rowe stated that she would like to ask for a little more information to be included in the Commission's packet, such as, in the compliance area staff could add what the façade measurements are that way the Commission can see what the 10% would be for each building. This information should also be added to the Conditions of Approval.

Planning Director Hanham stated that staff can add information for the Commission.

Commissioner Reesman stated that she agrees with Commissioner Rowe and the Conditions of Approval should have the correct square footage and it should have the most restrictive amount so that the business owner understands what they have to work with.

Chair stated that on Conditions of Approval, under item 3, change 50 square feet to 15.4 square feet.

MOTION BY COMMISSIONER BROEDER AND DULY SECONDED BY COMMISSIONER GRIFFIN AND CARRIED 5-0 TO APPROVE RESOLUTION 2012-02 A SIGN PROGRAM FOR THE CHOCOLATE LADY LOCATED AT 1257 S. MAIN AS AMENDED.

5. Site Plan Review 1329 S. Main Street, APN 062-009-052.

Planning Director Hanham presented the staff report on the site plan for 1329 S. Main Street.

Chair Croletto passed out a letter with questions about the Site Plan. (See Attachment 1) Largest issue is that he would like to see the South Side Elevation.

Commissioner Griffin stated that she is thrilled that this project is being done. She is all for it.

Commissioner Broeder stated that the driveway looks like it will be too steep. There was also some damaged to the back of the house from a tree falling a few years ago.

Commissioner Reesman asked why there were not different elevations of the building.

Mr. Robert Pedersen – owner of 1329 S. Main Street.

Mr. Pedersen stated that there were no proposed changes to those sides of the building except for trying to take it back to original as possible. He has located some pictures of the building and one is from July 4, 1895 that shows the house looking north, the problem is that there are a lot of banners and flags all over the house so it makes it hard to see the house. The other picture is from 1909 when the flood took out of the bridges. This picture shows more detail with metal finials on the roof, two different types of shutters were on the building, and the back third of the house was added to the house at some point. There is some dirt that has been back filled up against the house that is causing rot and needs to be fixed.

Chair Croletto asked about the foundation of the building.

Mr. Pedersen stated that there is some concrete, stone, and a mixture of things, he wants to bring it back so that the house will last another 100 years.

Chair Croletto suggested that the applicant get in contact with Judith Marvin, who is a historian in Calaveras County and then also look at the Pomona Library website which has pictures of Angels Camp. Staff can give you the design guidelines for historical buildings.

Mr. Pedersen stated that the North side of the building was always covered by the large oak tree and he believes that side of the house was not meant to be seen and is very plain. Since the tree fell that side of the house is very visible to town and what he would like to do is try and match the architecture of the rest of the building.

Commissioner Reesman stated that she would like to see all elevations of the building, she also asked how were the colors for the building determined.

Mr. Pedersen stated that he has found two different colored siding under some sheet rock. The two colors are a light cream color and a dark olive green.

Chair Croletto asked for a motion to approve the North elevation as shown in the drawings allowing the applicant to proceed with the interior work involving the windows.

MOTION BY COMMISSIONER BROEDER AND DULY SECONDED BY COMMISSIONER GRIFFIN AND CARRIED 5-0 TO APPROVE THE NORTH ELEVATION AS SHOWN IN THE DRAWINGS WITH THE SITE PLAN AND OTHER ELEVATIONS COMING BACK TO THE COMMISSION'S MARCH MEETING.

COMMITTEE REPORTS

6. Joint City Council/Planning Commission Workshops – Chairman Croletto

Planning Director Hanham stated that the workshop is schedule for March 20th with the first topic being the roles and functions of the Planning Commission.

Chair Croletto stated that this particular topic isn't one of the topics that was sent to the Council to chose from and there is a whole section in the Municipal Code that explains what the Planning Commission responsibilities are. Why does it have to be reviewed, it is spelled out in the code. He doesn't believe that anything will be accomplished in one hour.

Commissioner Reesman stated that she would like to see staff go back and ask the Council if we can meet on March 20th still but from 1pm to 4pm and that way we have more time and then Council can have a break before their 6pm meeting.

Planning Director Hanham stated if the Commission agrees he can ask the Council to change the time to start at 1pm. The Commission agreed.

7. General Plan Implementation Committee – Commissioner Rowe

Commissioner Rowe stated that there have not been any meetings.

8. BLT – Commissioner Rowe

Commissioner Rowe stated that the January Meeting was on the 10th and handed out the minutes to the Commission. The items discussed were Wifi Hotspot, cell phone coverage in the downtown, Wayfinding, Destination Angels Camp Formation Committee, web site, brochure, façade improvement, downtown events and welcome visitor signs.

9. Wayfinding – Commissioner Reesman

Commissioner Reesman stated that the City Council has approved the Wayfinding plan.

COMMISSIONER'S REPORTS

10. Action List – Chairman Croletto

Commissioner Reesman handed out a draft Notice of Public Hearing for things that she would like to see on the notices such as the location of the meeting (see attachment 2).

Commissioner Rowe stated that she has been going to small towns and looking to see how they market themselves. The City needs to encourage business as much as it can, including fees, the City needs to be proactive and help businesses get started. The staff needs to be welcoming for business owners when they have questions about their license or other issues, she is sadden to hear that the staff isn't friendly from citizens.

Planning Director Hanham stated that he feels that staff does help business owners but when he talks with people or business owners sometimes the business owner doesn't want to hear what the laws are and what has to be done so that they can open their shop.

Chair Croletto stated that he had a gentlemen contact him because he wasn't happy with the rules and needed to get a Conditional Use Permit. If someone contacts you about things like this you can tell the applicant that they have the option to come to the Planning Commission and then if they don't like the Planning Commission's decision then they can take their case to the City Council.

Commissioner Rowe stated that a gentleman contacted a former Planning Commissioner and he directed him to contact Chair Croletto which in turn directed him to the Planning Director. She is friends with the applicant and the applicant's wife asked her what she thought about it. Commissioner Rowe stated that she doesn't have all the facts and that she would need all the information before she could make a decision. If this comes up in a meeting she will be abstaining because of her involvement. Also her commission is up in June and she will not be looking to continue as a Planning Commissioner.

Commissioner Griffin stated that she is a small business owner, all businesses are having issues because of the economy. She has always had a good relationship with the City and she hasn't had anyone complain about the staff to her. The CVS parking lot is always packed and the downtown is hurting from the bypass.

Commissioner Broeder stated that he has built a house in Angels Camp and he has always had good dealings with the City.

Chair Croletto handed out the Action List dated February 9, 2012 (see attachment 3).

STAFF REPORTS

Director Hanham reported that he attended a meeting for Destination Angels Camp. Director Hanham stated that the committee is discussing marketing different areas of the City, one area being west of Frogjump Plaza, then downtown and then the Business and Attraction Area. The committee is putting together some facts for each area such as what infrastructure is needed. The City has received money for the traffic signal at 49 and Stanislaus. Staff has been working on a marketing

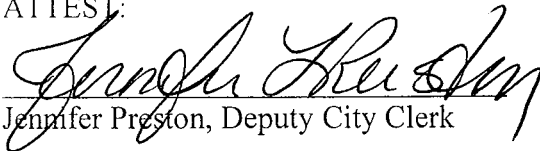
brochure and looking at fees. The second rezones will be going to City Council on March 20th. Mark Twain Saint Joseph's is still looking to pull their building permit in May.

MEETING WAS ADJOURNED AT 9:00 p.m.



Gary Croletto, Chairman

ATTEST:



Jennifer Preston, Deputy City Clerk

Attachment 1

February 9 PC Agenda, Item #5 - 1039 South Main Street

Under Historical Significance -

- There are at least 2 additional outside features; the porch and the Gable End on the North Elevation
- Building is not shown on the current California Historic Registry
- Does the City have any pictures to assist the applicant seeing as how the City has “declared it a historical site”
- Was historian Judith Marvin contacted to see if she has any historic information or pictures that could help the applicant?

GENERAL:

- Where is the South Elevation on HWY 49 delineated?
- Drawing notes that shutters match the existing but could not see any existing from North or South side.
- Shutters as shown on drawing aren’t wide enough to cover the windows as historically they did and a couple of windows are so close to each other it would be physically impossible to make shutters correct in width to cover the window as shown on the drawing.
- Are there existing vertical operating shutters to cover the top half of the double hung windows as shown on drawing?
- Didn’t see any “metal finiels’ on existing roof?
- Have concern about adapting incorrect “historical treatment’ to buildings in the Historical District as was done in the past and the City lost Façade Grant monies because of it.
- Color pallet is good.

SITE:

- Parking spaces on excessive slopes
- Parking space on HWY 49 re Cal Trans encroachment/access and minimum distance from corner.
- Grading, parking, landscaping outside of property line into city property.

Attachment 2

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a **PUBLIC HEARING** will be conducted on:

Tuesday, February 14, 2012, at 6:00 p.m.

at the **Angels Camp Fire Dept. located at 1404 Vallecito Road, Angels Camp CA 95222**. The City of Angels Camp Planning Commission will consider the following application:

Project Number	CUP 2011-31
Project Address/Location:	1104 S. Main Street, Angels Camp CA 95222
Assessor Parcel Number:	APN 062-003-032
Applicant:	GCS Motors / Greg Scott
Project Summary:	

The Angels Camp Planning Commission will review and consider: issuance of a Conditional Use Permit to operate a used car lot at 1104 South Main Street, Angels Camp.

General Plan Land Use Designation: HC (Historical Commercial) and CC-H (Central Commercial-Historical Overlay Zoning Designation)

Most Recent Use at This Location: Used Car Lot

Notice Date(s): February 4, 2012
Publication: Calaveras Enterprise / February 4, 2012 & February 10, 2012

All interested parties may appear and present testimony in regard to this application. If you challenge this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing (described in this notice) or in written correspondence delivered to the City, at, or prior to, the public hearing. For more information, questions or concerns contact the Planning Director, City of Angels Camp Community Development Department, 571 Stanislaus Drive, Ste. J, Angels Camp, CA 95222, (209)736-1346. If you choose to submit written correspondence in regard to this application, your written submission must be received by the Community Development Department no later than 4:00 pm on the date of the hearing shown above.

/s/
David Hanham
Planning Director
City of Angels Camp

Attachment 3

City of Angels Planning Commission Action List
2/9/2012

#	Date	Discussion Topic	Action	Commission/Staff/City	Comp/Cont
1	1/08	C.O.A. Design Guidelines	Submit to Staff & Commission for review & comment	G. Croletto	Cont.
2	10/14/10	Developer's Agreements	Annual Review of Developer's Agreements per Section 17.85 P.C. Procedures	Staff/Commission	Cont.
3	3/10, 4/14, 7/14, 9/8, 10/13	Gold Panning Sign @ GHC Road and Selkirk	Comes and goes...enforcement? <i>Citations, fines???</i>	Staff	Cont.
4	11/10	<i>Signage for Hobby Store</i>	<i>Sign application and resolution for Hobby Store at Main and Raspberry</i>	Staff	
			ITEMS OF CONCERN THAT NEED ATTENTION OR HAVE BEEN APPROVED BY THE P.C. AND NOT GONE TO THE C.C. AS OF 2/9/12		
5		Planning Fees	Last reviewed and revised 1/09	Staff/Commission	
6	8/14/09	Galleria @ GHC/Classics On the Ridge	Extension of Vesting Tentative Subdivision Map 2005.20	Staff	
7	7/9/10	ZOTA 2008-01	Title 15 Chap. 12 - Sign Definitions	Staff/Commission	
8	9/10/10	Title 17 Chap. 9	Zoning Definitions	Staff	
9	10/8/10	Title 15 Chap. 12	Section 210 - Temporary signs	Staff	
10	10/8/10	Title 14 Chap. 75	Resolution 2009-22 Well Drilling	Staff	
11	12/10/10	Resolution 2009-24	Rezoning of SC District to CC	Staff	
12	12/10/10	Resolution 2009-23	Couldn't find reference for it	Staff, Please check	

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